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## **STAFF COMMENTS FOR PLANNING COMMISSION**

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**MEETING DATE:** October 17, 2007

**SUBJECT:** AFP-07-036

**TITLE:** Lakeview Professional Center

**REQUEST:** **CONSENT APPROVAL  
AMENDMENT TO FINAL PLAN APPROVAL**  
Change of use from basement storage to  
general and/or medical office

**ADDRESS:** 507 North Frederick Avenue

**ZONE:** C-2 (General Commercial)

**APPLICANT:** Thukral Holdings

**STAFF LIAISON:** Allen Meyer, Planning Intern

**Enclosures:**

Staff Comments

Exhibits

- Exhibit 1: Site location map
- Exhibit 2: Application
- Exhibit 3: Adjacent property owner notification
- Exhibit 4: Site plan
- Exhibit 5: Aerial
- Exhibit 6: Revised parking chart
- Exhibit 7: Pictures of property

## **STAFF COMMENTS**

### **I. BACKGROUND:**

An application has been filed requesting an amendment to an approved final plan to change the use of the basement level of an office building (Exhibit #2). The property is located at 507 North Frederick Avenue (Exhibit #1) and is located in the C-2 (General Commercial) Zone.

The applicant proposes to change the use of a basement storage area to general and/or medical office. The property was granted final site plan approval by the City of Gaithersburg's Planning Commission as site plan S-148 on January 16, 1967. Site plan S-394(A) was for the addition of a parking deck which added 64 parking spaces to the property. The upper parking deck was never constructed, but the new surface parking (lower level) was constructed adding 34 parking spaces.

### **II. SCOPE OF REVIEW:**

This application comes before the Planning Commission because of Section 24-172A which requires the Planning Commission to grant amendments to final site plans. This application is requesting to amend an approved site plan by allowing the basement storage area to be used as a general and/or medical office use.

### **III. SITE PLAN ANALYSIS AND FINDINGS:**

In accordance with §24-171, the Planning Commission has the authority to review and make determinations regarding the proposed plan for the purpose of protecting the public health, safety and welfare. Section 24-170 outlines the findings for the approval of the site plan:

#### **Site Characteristics**

##### **General.**

The L-shaped property is improved with a two-story office building fronting on North Frederick Avenue near the intersection Montgomery Village Avenue and North Frederick Avenue (MD 355). The property's rear parking lot is surrounded by mature trees and a lake (storm water management facility) abutts the rear of the property. The site's only access is from North Frederick Avenue with a two-way drive aisle on the north side of the building.

##### **Surrounding Land Use and Zoning.**

The surrounding land uses are professional office to the east, commercial retail to the west, and banking to the north. The zones adjacent to the property are zoned C-2 (General Commercial).

**Building uses.**

The front half of the first floor is contains a video retail store. The rest of the building is being used for general and medical offices. The basement storage area (1,083 square foot) is currently vacant, but has been fitted out with offices from past occupants.

**History.**

The building's use of the basement area has had a long history. Over the past 30 years, the Planning Commission has granted the basement area to be used as office twice with conditions. However, the parking schedule on the most current plan does not reflect that use. This amendment proposes to correct the use square footages and adjust the parking schedule to reflect the new use.

**Parking.** (Exhibit #6)

	<u>Past</u>	<u>Current</u>
Retail:	2,500 sf/14 spaces	2,500 sf/14 spaces
Storage:	1,083 sf/0 spaces	176 sf/0 spaces
General office:	0 sf/0 spaces	2,700 sf/9 spaces
Medical office:	4 doctors/16 spaces 10 employees/5 spaces	5 doctors/20 spaces 8 employees/4 spaces
Provided spaces:	51	51
Required spaces:	35	51

**Code issues.**

The basement storage area currently has one egress by means of a stairway to the first floor foyer. In order for the basement storage area to be converted to office, the entire building must have a smoke detection system.

**Summary of Findings.**

The Planning Commission is receiving this application because the proposed modifications to the site plan are required to be reviewed by Planning Commission. Staff believes that this modification to the site will add to the commercial value of the property and not create any adverse conditions.

#### **IV. CONCLUSION:**

Staff recommends **TO GRANT AFP-07-036, LAKEVIEW PROFESSIONAL CENTER, AMENDMENT TO FINAL PLAN APPROVAL, FINDING IT IN CONFORMANCE WITH §§ 24-170 AND 24-172 OF THE CITY'S ZONING ORDINANCE, WITH ONE (1) CONDITION.**

- 1. The entire building is to be fit up with a smoke detection system prior to occupancy of the basement office.**

619

6

607

2

MONTGOMERY VILLAGE AVE

RUSSELL AVE

507 N Frederick Ave  
Lakeview Professional Center

N

509

507

FREDERICK AVE

100

610

501

600

PENGAD 800-631-6989

1

AFP-07-036

10-17-07

## AMENDMENT TO FINAL PLAN APPLICATION

In accordance with Section 24, Article V of the City Code

Application #	AFP-07-036
Date Filed	10/4/07
Total Fee	\$ Consent

### 1. SUBJECT PROPERTY

Project Name 507 N. Frederick Avenue  
 Street Address 507 N. Frederick Avenue, Gaithersburg, MD 20877  
 Zone C-2 Historic area designation ☐ Yes ☒ No  
 Lot 1 Block 201 Subdivision 201  
 Tax Identification Number (MUST BE FILLED IN) 02821186

### 2. APPLICANT

Name Vinod Thukral  
 Street Address 6857 Castlerock Dr. Suite No. 95120  
 City San Jose State CA Zip Code 95120  
 Daytime Telephone 408-781-4612

### 3. ARCHITECT/ENGINEER/DEVELOPER

Architect's Name Maleady, Roy & Obrien  
 Architect's Maryland Registration Number \_\_\_\_\_ Telephone \_\_\_\_\_  
 Street Address 9210 Wightman Road, suite 400 Suite Number \_\_\_\_\_  
 City Gaithersburg, MD State MD Zip Code 20879

Engineer's Name Deuberry & Davis  
 Engineer's Maryland Registration Number \_\_\_\_\_ Telephone \_\_\_\_\_  
 Street Address 8401 Arlington Blvd. Suite Number \_\_\_\_\_  
 City Fairfax State VA Zip Code 22031

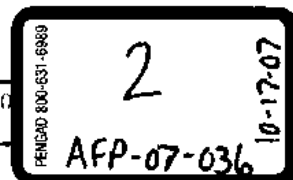
Developer's Name \_\_\_\_\_ Telephone \_\_\_\_\_  
 Street Address \_\_\_\_\_ Suite Number \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_  
 Contact Person \_\_\_\_\_ Telephone \_\_\_\_\_

### 4. PROPERTY OWNER

Name Thukral Holdings LLC  
 Street Address 6857 Castlerock Dr. Suite No. \_\_\_\_\_  
 City San Jose State CA Zip Code 95120  
 Daytime Telephone 408-781-4612

### 5. CITY PROJECT NUMBER

Original Site Plan Number SP-244 Date Approved 10-4-1988  
 Name of previously approved Final Plan 507 N. Frederick Avenue



## 6. WORK DESCRIPTION

Please state clearly changes requested from final approved plan.

Change Basement Storage use to office use.

## 7. PROJECT DETAIL INFORMATION

## a. POPULATION CHANGES (if any)

Changes in population estimated due to amendment

Employee estimate:

Total number

2

Total number per shift

2

Resident estimate:

Total number

Total number per dwelling unit

## b. PLEASE SUPPLY THE FOLLOWING INFORMATION

DEVELOPMENT INFORMATION		REQUIRED	PROVIDED
1. Site (square feet)			32,301.45 ft <sup>2</sup>
2. Site Area (acres)			.74
3. Total Number of Dwelling Units/Lots			
4. Height of Tallest Building			2 stories
5. Green Area (square foot)			8045 ft <sup>2</sup>
6. Number of Dwelling Units/Acre			
7. Lot Coverage (Percent)			
8. Green Area (Percent)			
9. Residential			
a. Single Family Detached	# Units		
b. Single Family Attached	# Units		
c. Multi-Family Condo	# Units		
d. Multi-Family Apartment	# Units		
e. Other			
10. Retail/Commercial	Sq. Ft. <u>2500 ft<sup>2</sup></u>		14
11. Restaurant Class: <input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C	Sq. Ft.		
12. Office/Professionals	Sq. Ft. <u>2700</u>		9
13. Warehouse/Storage	Sq. Ft. <u>176</u>		6
14. Parking	<u>Available 51 spaces</u>		51
15. Shared Parking/Waiver			
16. Other	<u>Medical (Doctor 5) (Nurs 8)</u>		24
17. Total			

## SUBMISSION REQUIREMENTS

1. Set of plans per the respective checklist. Plans must be folded to 8 1/2 x 11."
2. Completion of the table above.

I have read and complied with the submission requirements and affirm that all statements contained herein are true and correct.

Applicant's Name (please print)

VINOD K. THAKRAN

Applicant's Signature

[Signature]

Date

9/20/07

Daytime Telephone

408-787-4612

## MINOR AMENDMENT TO FINAL PLAN FOR STAFF APPROVAL

### ADJACENT PROPERTY OWNERS NOTIFICATION

In accordance with Chapter 24, Article V, Section 24-172 of the City Code

To be completed by applicant:

ADDRESS OF SUBJECT SITE 507 N. Frederick Avenue, Gaithersburg MD 20879  
 LOT 1 BLOCK \_\_\_\_\_ SUBDIVISION 201  
 CHANGES REQUESTED Minor change of storage use to office use.  
[see reverse side for appropriate references from Sec. 24-172(c) of the Zoning Ordinance]

To Whom It May Concern:

The City of Gaithersburg Planning and Code Administration has received a request for staff approval of a minor amendment to a site plan for the above property. This application was submitted by Thukual Holdings LLC [name of applicant/builder] to the City on \_\_\_\_\_ [date]. For your reference, a copy of the proposed site plan can be reviewed at City Hall, in the Planning and Code Administration, Monday through Friday, 8 a.m. to 5 p.m.

The Planning and Code Administration staff reviews these applications on a weekly basis. Any comments which you wish to make (oral or written) should be directed the Planning and Code Administration within 7 days of the date of this letter. Please note that those comments which object to the application but do not specifically reference the proposed modifications and any adopted architectural standards will not be considered by staff. Copies of adopted architectural standards are available from the Planning and Code Administration, from 8AM to 5PM, Monday through Friday.

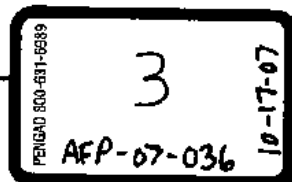
The Planning and Code Administration staff will make every effort to allow input by either phone or mail prior to taking action. However, if a response is not received within 7 days, the application will be processed.

Given to owners of abutting and confronting properties (see Section 24-172(b) of the City Code) on 10/17/07 (date).  
Same Club

Address: 610 N. Frederick Ave, Gaithersburg MD 20877  
 Lot: \_\_\_\_\_ Block: 2 Subdivision: 201

NOTE: Any reproduction of this form must include the back side. Forms which are given to adjacent property owners but do not contain Sec. 24-172(c) of the Zoning Ordinance will not be accepted as proper notification.

continued on reverse side



**C. Minor amendment requests.**

1. Requests for minor amendments shall be filed with and acted upon by the planning director or his/her designee. Requests for minor amendment include:
  - a. Resiting or relocation of buildings or structures including, but not limited to, garages and accessory structures on not more than three (3) contiguous lots, including moving or rotation of a building or structure's footprint, provided such moving or rotation does not shift a building or structure's footprint more than ten (10) feet in any direction.
  - b. Resiting of a lot with a house type previously approved by the City Planning Commission.
  - c. Approval of retaining walls/fences and other enclosures.
  - d. Minor revisions to building elevation and site plan details which do not add onto buildings or expand footprints of previously approved buildings (other than item b above).
  - e. Minor signage changes or additions.
  - f. Minor landscaping or pedestrian and sidewalk access revisions.
  - g. Addition of easements and parking areas or correction of easement and parking area location.
  - h. Revision to forest conservation plan.
  - i. Revisions or amendments delegated by the City Planning Commission.
2. Public hearings of the Planning Commission are not required for a minor amendment, provided, however, the planning director or his/her designee shall, upon request, meet with the applicant and interested parties or consider written comments on the amendment.
3. A minor amendment can only be granted if:
  - a. The amendment does not violate the development standards of the property's zoning or increase the lawful nonconformity of any lot or building; and
  - b. The amendment is in general harmony with the architectural and site design characteristics of the approved site development plan; and
  - c. The amendment will not substantially impair the intent, purpose or integrity of the neighborhood or the planning documents for the applicable area.
4. The decision of the planning director (or designee) may be appealed to the City Planning Commission if filed with the Planning and Code Administration, in writing, within fifteen (15) days after the decision is mailed by the planning director. The Planning Commission, in its discretion, may hold a public hearing on the decision of the planning director, or order written statements and oral argument in lieu of public hearing. The Planning Commission may approve, approve with modifications, or disapprove the requested amendment(s) and shall state the reasons for its action. (Res. No. R-19-66; Ord. No. O-15-93, 11-1-93)

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Given to owners of abutting and confronting properties (see Section 24-172(b) of the City Code) on 10/12/07 (date).

Address: Cherry Chase Bank  
509 N. Frederick Avenue, Gaithersburg MD 20877  
Lot: \_\_\_\_\_ Block: \_\_\_\_\_ Subdivision: 201

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Address: 100 Lake Forest Blvd, Gaithersburg, MD 20877  
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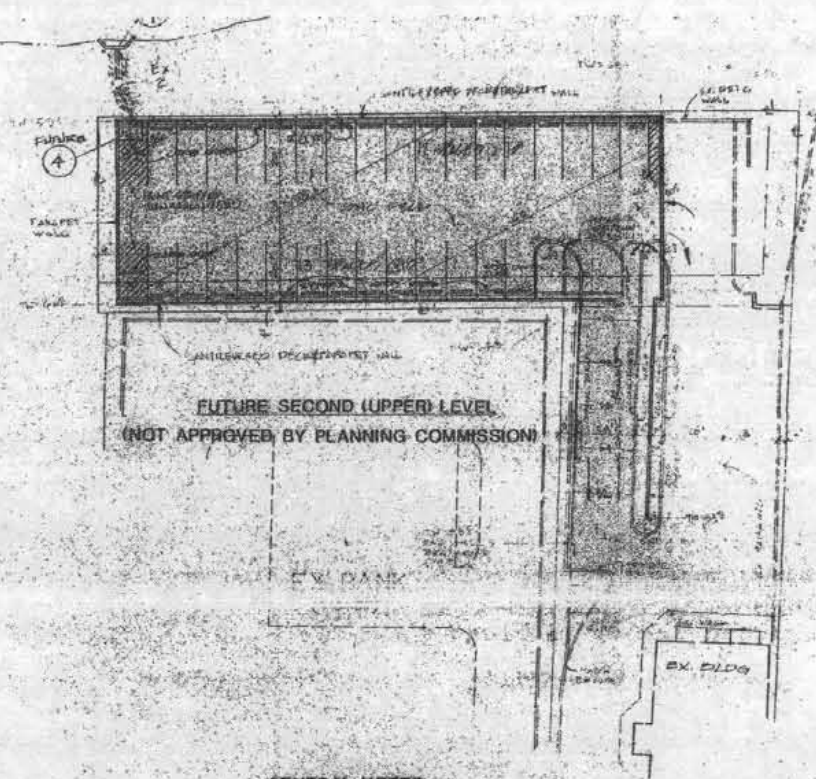
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**GENERAL NOTES**

1. BOUNDARY SURVEY AND EXISTING TOPOGRAPHY BY DEWBERRY & DAVIS.
2. STORMWATER MANAGEMENT WAIVER TO BE APPLIED FOR.
3. ALL ON-SITE CURBS AND GUTTER TO BE MOVED STD. 10-A.
4. FOR PRELIMINARY ELEVATIONS OF PARKING GARAGE REFER TO SITE PLAN SHEET 2 OF 2 BY MALEADY, ROY & O'BRIEN.
5. FIRE LINES TO BE IDENTIFIED AND MARKED AS DIRECTED BY THE FIRE MARSHAL AND THE CITY OF GAITHERSBURG.
6. BASEMENT STORAGE CONTIGUOUS OF JANITORIAL AND OFFICE SUPPLIES.
7. TRASH REMOVAL IS ACCOMPLISHED DAILY FROM WITHIN EXISTING BUILDING BY JANITORIAL SERVICE.
8. ANY EXISTING FIRE TRENCHES ON LINPRO SITE THAT NEED TO BE REMOVED DURING CONSTRUCTION OF THIS PROJECT WILL BE REPLACED WITH PLANT MATERIAL OF SAME TYPE AND SIZE.

**SITE SUMMARY**

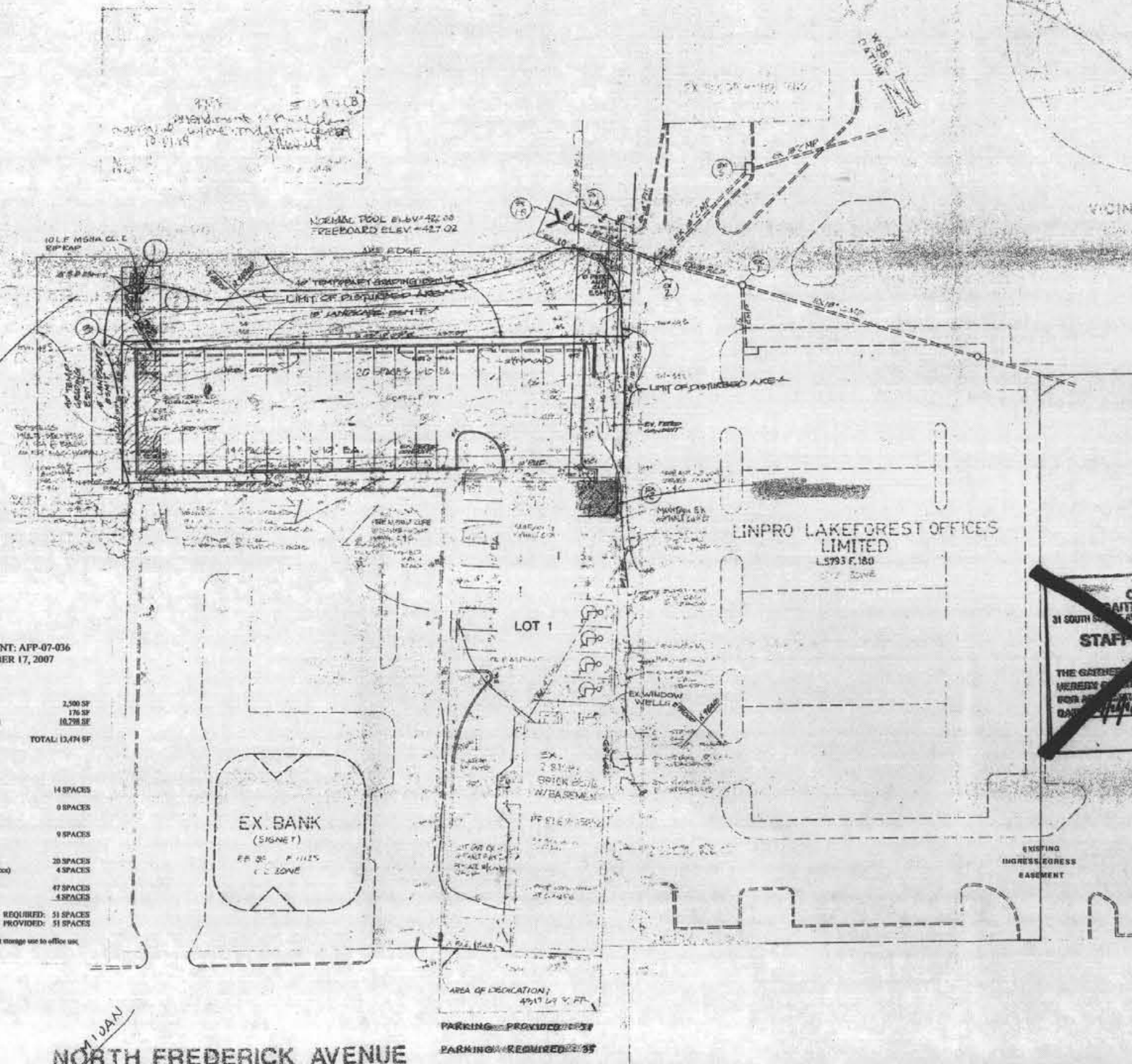
	Related/Allowed	Proposed
Zone:	C-2	C-2
Use:	Retail/General Office	Retail/Medical Office
TOTAL SITE AREA:	10,819.07 SQ. FT. (0.24 AC)	
LESS DEDICATION:	4,377.89 (0.10 AC)	
NET SITE AREA:	6,441.18 (0.14 AC)	
F.A.R.:	1.5 (10,492 sq. ft.)	10,125 sq. ft. (1.30 FAR)
Building Height:	TEN STORIES	TWO STORIES (18') EXISTING
Building Coverage:	N/A	4,021 sq. ft. (10.4%)
Building Area:	N/A	
Retail:		2,500 sq. ft.
Storage (See Note 6 Above):		1,083 sq. ft.
Medical Office:		6,542 sq. ft.
Total:		10,125
Open Space:	N/A	8,048 sq. ft. (24.7%)
Parking:		
Retail:	2,500 sq. ft. @ 1/180 = 14	14
Storage:	0	0
Medical Office:	21	62
(4 Spaces/Doctor @ 4 Doctors)	16	
(1 Space/2 Employees @ 10 Employees)	5	
Total:	35	72
Handicap:		4
(TOTAL PROVIDED INITIALLY = 51 SPACES)		

**SITE PLAN AMENDMENT: AFP-07-036**  
EFFECTIVE OCTOBER 17, 2007

**SITE SUMMARY**

RETAIL:	2,500 SF
BASEMENT STORAGE:	1,083 SF
GENERAL AND/OR MEDICAL OFFICE:	10,125 SF
<b>TOTAL: 13,708 SF</b>	
<b>PARKING</b>	
RETAIL:	14 SPACES
(2,500 sf @ 1/180 = 14)	
BASEMENT STORAGE: 0	0 SPACES
GENERAL OFFICE:	9 SPACES
(2,700 sf @ 1/300 = 9)	
MEDICAL OFFICE:	20 SPACES
(4 spaces/Doctor @ 5 Doctors = 20 spaces)	
(1 space/2 Employees @ 4 Employees = 4 spaces)	
<b>TOTAL SPACES:</b>	<b>43 SPACES</b>
<b>HANDICAP SPACES:</b>	<b>4 SPACES</b>
<b>REQUIRED: 51 SPACES</b>	
<b>PROVIDED: 51 SPACES</b>	

\*NOTE: This plan is changing the basement storage use to office use.

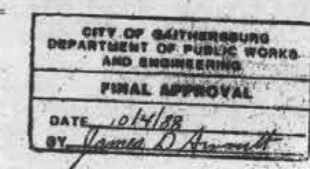
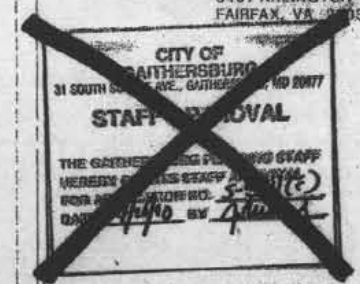


**ARCHITECT:**

**MALEADY, ROY & O'BRIEN**  
9210 WIGHTMAN ROAD, SUITE 400,  
GAITHERSBURG, MD. 20879

**STRUCTURAL ENGINEER:**

**DEWBERRY & DAVIS**  
8401 ARLINGTON BOULEVARD  
FAIRFAX, VA 22031



PROPOSED PARKING GARAGE  
SITE PLAN

**507 N. FREDERICK AVENUE**

**Dewberry & Davis**  
507 N. FREDERICK AVE. #100  
GAITHERSBURG, MARYLAND 20877

CITY OF GAITHERSBURG 9th ELECTION DISTRICT MONTGOMERY COUNTY, MD.

AFP-07-036

10-17-07

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AFP-07-036  
10-17-07  
FENGAD 800-631-6969

**SITE PLAN AMENDMENT: AFP-07-036**  
**EFFECTIVE OCTOBER 17, 2007**

**SITE SUMMARY**

RETAIL:	2,500 SF
BASEMENT STORAGE:	176 SF
GENERAL AND/OR MEDICAL OFFICE:	<u>10,798 SF</u>

TOTAL: 13,474 SF

**PARKING**

RETAIL: (2,500 sf @ 1/180 = 14)	14 SPACES
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BASEMENT STORAGE: 0	0 SPACES
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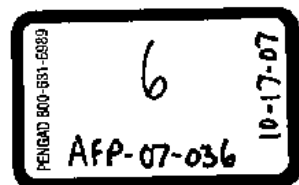
GENERAL OFFICE: (2,700 sf @ 1/300 = 9)	9 SPACES
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MEDICAL OFFICE: (4 spaces/Doctor @ 5 Doctors = 20 spaces)	20 SPACES
(1 space/2 Employee @ 8 Employee = 4 spaces)	4 SPACES

TOTAL SPACES:	47 SPACES
HANDICAP SPACES:	<u>4 SPACES</u>

REQUIRED:	51 SPACES
PROVIDED:	51 SPACES

\*NOTE: This plan is changing the basement storage use to office use.





PENGAD 800-631-6989  
 AFP-07-036  
 7  
 10-17-07